

**IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE: SAMUEL DOWDEN

CASE NO. 08-11293-DWH-13

NOTICE OF WITHDRAWAL OF CLAIMS

Vanderbilt Mortgage and Finance, Inc. (successor servicing agent to Oakwood Acceptance Corporation, LLC), the duly authorized servicing agent for The Bank of New York Company, Inc., as Trustee, successor Trustee to JPMorgan Chase Bank, National Association, as Trustee (formerly JPMorgan Chase Bank, as Trustee) (“Movant” or “Vanderbilt”), one of Debtor's creditors in the above referenced Chapter 13 case and files its Notice of Withdrawal of Claims and in support thereof would show as follows, to-wit:

1. Vanderbilt filed Claim No. 2 that is pending in this case.
2. On or about August 6, 2009, Vanderbilt filed a Notice of Default Under Terms of Agreed Order Conditionally Denying Motion for Relief from the Automatic Stay and for Abandonment of Property from Debtor's Estate and Termination of Automatic Stay in this case due to the Debtor's default under the terms of the Agreed Order Conditionally Denying Motion for Relief from the Automatic Stay and for Abandonment of Property from Debtor's Estate and Termination of Automatic Stay. Due to the Debtor's default, the automatic stay, as same applies to Vanderbilt, automatically terminated without further order of this Court.
3. Vanderbilt's Claim No. 2 and any other pending claims Vanderbilt has in this case should be reduced to the amounts already paid and the remainder of its claims should be withdrawn.

WHEREFORE, Vanderbilt respectfully submits that Claim No. 2 and any other remaining claims of Vanderbilt in this case should be reduced to the amounts already paid and with-

drawn.

Dated: August 6, 2009.

Respectfully submitted,

BY: /s/ James P. Wilson, Jr. (MSB 10783)

Of Counsel:

Mitchell, McNutt & Sams
A Professional Association
215 Fifth Street North
Post Office Box 1366
Columbus, Mississippi 39703-1366
Telephone: 662.328.2316

CERTIFICATE OF SERVICE

I, James P. Wilson, Jr., one of the attorneys for Vanderbilt Mortgage and Finance, Inc., do hereby certify that I have served a true and correct copy of the above and foregoing instrument to all parties and counsel of record by placing said copy in the United States Mail, postage prepaid and/or electronic filing addressed to them at their usual addresses as follows:

Samuel Dowden
393 Rock Hill Road
Sardis, MS 38666
Debtor

Kevin F. O'Brien
1630 Goodman Road East, Suite 5
Southaven, Miss. 38671
Attorney for Debtor

Locke D. Barkley
Post Office Box 55829
Jackson, Mississippi 39296-5829
Trustee

Dated: August 6, 2009.

/s/ James P. Wilson, Jr.